

Application No. 10/665,554
Reply dated October 27, 2005
Reply to Office Action dated July 27, 2005

REMARKS

The objections to the drawings have been addressed by appropriate amendments thereto as well as to the substitute specification and Claim 5. Reconsideration is therefore requested.

The objection to the substitute specification is not well made as adequate headings have already been used therein. Antecedent basis for the term "at least one spare stator" already exists in [001] and has been repeated in new [0016] with reference to the identified spare region 44 now identified in Figs. 1 and 3 along with the operating region 42.

The indication of allowability of Claims 5-7 is noted with appreciation. As those claims, in particular Claims 5 and 7, have now been rewritten in proper independent form, they should now be allowed. Further discussion with respect thereto is now deemed unnecessary.

The rejection of Claims 1-4 as being unpatentable over Karge in view of Lemay et al under 35 U.S.C. §103(a) is traversed, and reconsideration thereof is respectfully requested.

The Office Action states that a difference exists between the Karge screw pump and the claimed pump herein only with respect to the first and spare stators being joined without a space therebetween. Although this is a correct statement, the acknowledged difference is not the only difference. Referring to

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Figs. 1-3 of the Karge patent showing the arrangement of the reserve stator above the conveying unit (Fig. 2) or below the conveying unit, the Karge patent does not teach or suggest that either of these reserve stator arrangements are independently turntable or relocatable in the sense of being reversed or displaced for switching purposes. Indeed, the Fig. 3 arrangement shows the riser 2 between the stators 6, 10 which has the disadvantage of collecting sediment, something that cannot happen in the claimed invention. The reserve rotor 10 is not turned or relocated but merely elongates the shaft or linkage 3.

The differences between the Karge pump and that of the present invention would not have been rendered obvious by the side-by-side long stator arrangement shown in Fig. 3 of the Lemay et al patent. Said Fig. 3 merely shows a stator consisting of several processes. That is, Figs. 3 and 4 show only one multi-stage stator which is used to increase delivery pressure. No matter how many stages are integrated in one stator, however, only one rotor extends over the entire length of the stator, and the total stator length is used during the pumping process. In other words, there is no available reserve area. The wedging rings 4, visible in Figs. 3 and 4, do not limit any separate stator parts but connect the individual parts to form a stator. The hypothetical combination of the teachings of Karge and Lemay et al would not have resulted in the claimed invention even with the use of the impermissible hindsight reconstruction underlying the rejections of Claims 1-4.

Accordingly, early and favorable action is earnestly solicited.

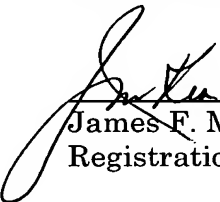
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If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #100636.52776US).

Respectfully submitted,

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IN THE DRAWINGS:

The attached sheet of drawings include Figs. 1, 2 and 3.

Attachment: Replacement Sheets